

Memorandum



Date: October 18, 2005

Agenda Item No. 8(D)(1)(G)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Release of an Unneeded Portion of a Canal Maintenance Easement in Section 16, Township 52 South, Range 40 East (WC-842)

Loc: 8769, 8789, and 8799 N.W. 169 Terrace (Commission District No. 13)

RECOMMENDATION

It is recommended that the Board approve the attached Resolution authorizing the release of an unneeded portion of a canal maintenance easement by Miami-Dade County.

BACKGROUND

The subject easement was conveyed to Miami-Dade County by the Plat of Sevilla Estates according to Plat Book 153 at Page 38, of the Public Records of Miami-Dade County, Florida for the maintenance of the adjacent Golden Glades Canal.

The owners of Lots 12, 14 and 15, are interested in constructing swimming pools at their homes and have requested the release of the South five (5) feet of the existing 25-foot canal maintenance easement. The Department of Environmental Resources Management has reviewed said request and has determined that the maintenance of the Golden Glades Canal can be maintained adequately through the remaining 20-foot canal maintenance easement and, therefore, recommends approval of the release of this easement.


Assistant County Manager

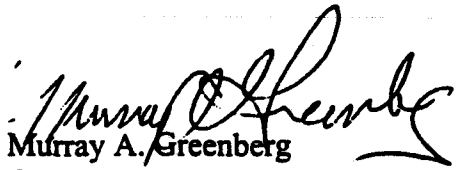


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 18, 2005

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(D)(1)(G)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(D)(1)(G)
10-18-05

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE RELEASE OF AN
UNNEEDED PORTION OF A CANAL MAINTENANCE
EASEMENT, IN SECTION 16, TOWNSHIP 53 SOUTH,
RANGE 40 EAST, IN MIAMI-DADE COUNTY,
FLORIDA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the release of a 5-foot portion of a canal maintenance easement, in Lots 12, 14 and 15, Block 6, SEVILLA ESTATES, a subdivision in Section 16, Township 53 South, Range 40 East, according to Plat Book 153 at Page 38 of the Public Records of Miami-Dade County, Florida; and authorizes execution and recording of a Disclaimer by the Mayor in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this
18th day of October, 2005. This Resolution, if not vetoed, shall become effective in
accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. PST
Peter S. Tell

By: _____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

That portion of the South 5 feet of the South 25 feet of the North 105 feet of the N.E. ¼ of Section 16, Township 52 South, Range 40 East, which lies within Lots 12, 14 and 15, Block 6, SEVILLA ESTATES, as recorded in Plat Book 153 at Page 38 of the Public Records of Miami-Dade County, Florida

NOW, THEREFORE, MIAMI-DADE COUNTY DOES issue this disclaimer:

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the _____ day of 20____.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA
BY ITS MAYOR

HARVEY RUVIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

By: _____
Carlos Alvarez, Mayor

Print: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____,
by _____, who is personally known to me or who has produced
_____ as identification and who did take an oath.

NOTARY PUBLIC:

Sign _____

Print _____
STATE OF FLORIDA at large
(Seal)

My commission expires: _____

This instrument was prepared by:
Walid Abusad, of
Miami-Dade County Environmental
Resources Management
33 S.W. 2nd Avenue, 2nd Floor
Miami, Florida 33130-1540

5

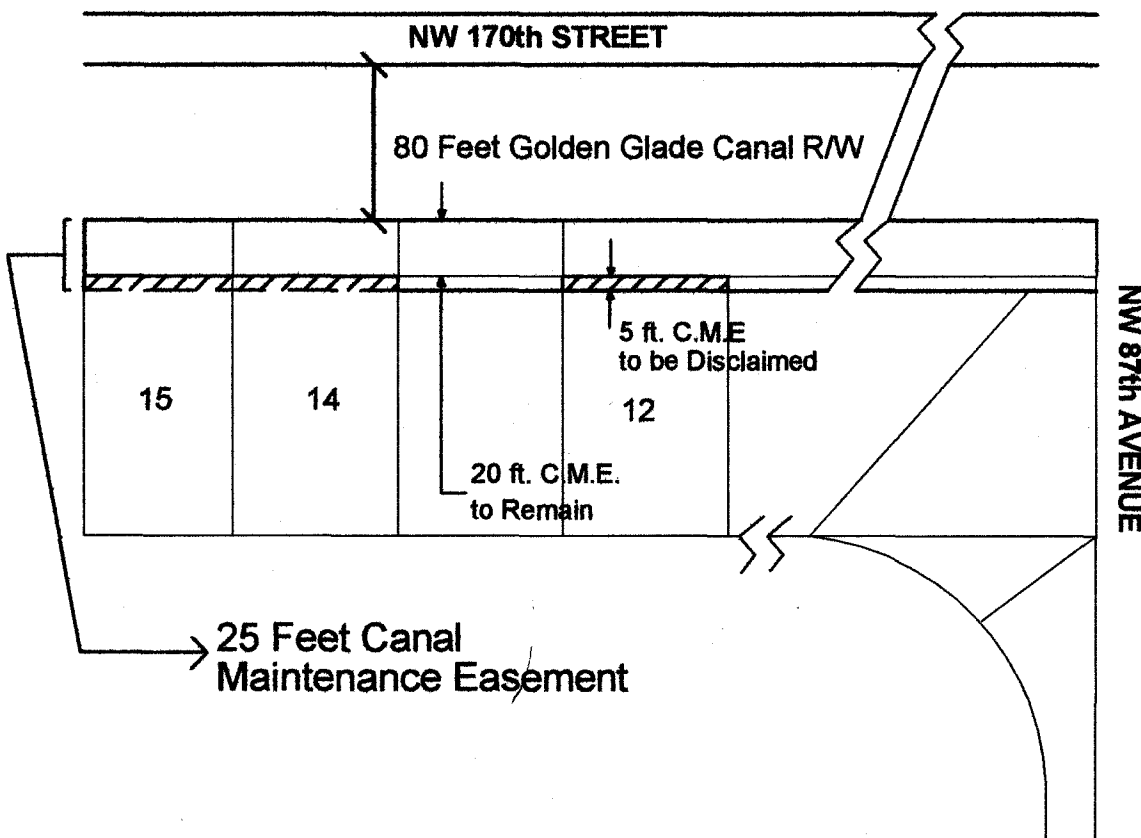
WC. 842

SEC. 16

TWP. 52

RGE. 40

Location Map



 5 Feet Canal Maintenance Easement
to be Disclaimed